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Attorneys for Plaintiffs

**UNITED STATES DISTRICT COURT  
DISTRICT OF NEW MEXICO**

PULTE HOMES OF NEW MEXICO, INC., a Michigan corporation; PULTE DEVELOPMENT NEW MEXICO, INC., a Michigan corporation,

Plaintiff,

v.

CENTRAL MUTUAL INSURANCE COMPANY, an Ohio corporation; HDI GLOBAL SPECIALTY SE fka INTERNATIONAL INSURANCE OF HANNOVER, a New York corporation; SENTINEL INSURANCE COMPANY, LTD, a Connecticut corporation; GEMINI INSURANCE COMPANY, a Delaware corporation; COLORADO CASUALTY COMPANY, a New Hampshire corporation; THE CINCINNATI INSURANCE COMPANY, an Ohio corporation; THE CINCINNATI CASUALTY COMPANY, an Ohio corporation; DONEGAL MUTUAL INSURANCE COMPANY fka MOUNTAIN STATES MUTUAL CASUALTY COMPANY, a Pennsylvania corporation; FEDERATED MUTUAL INSURANCE COMPANY, a Minnesota corporation; HARTFORD CASUALTY INSURANCE COMPANY, a New Jersey corporation; CLARENDON NATIONAL INSURANCE COMPANY, as successor in interest by way of merger with Sussex Insurance Company fka as

Case No. 1:21-cv-00996-MLG-JMR

**STIPULATION TO DISMISS PLAINTIFFS' CLAIMS AGAINST DEFENDANT UNITED SPECIALTY INSURANCE COMPANY RELATED TO POLICY NO. FEIS51000689, ONLY (ECF No. 242)**

Companion Property and Casualty Insurance Company, a Texas corporation; ACE AMERICAN INSURANCE COMPANY, a Pennsylvania corporation; FIRST MERCURY INSURANCE COMPANY, a Delaware corporation; CENTURY SURETY COMPANY, an Ohio corporation; UNITED SPECIALTY INSURANCE COMPANY, a Delaware corporation; OHIO CASUALTY INSURANCE COMPANY, a New Hampshire corporation; AMERICAN STATES INSURANCE COMPANY, an Indiana corporation; NAVIGATORS INSURANCE COMPANY, a New York corporation; NATIONAL UNION FIRE INSURANCE COMPANY OF PITTSBURGH, PA, a Pennsylvania corporation; STARR INDEMNITY & LIABILITY COMPANY, a Texas corporation; WESTFIELD INSURANCE COMPANY, an Ohio corporation; AMERICAN HALLMARK INSURANCE COMPANY OF TEXAS, a Texas corporation; SOUTHERN INSURANCE COMPANY, a Texas corporation; NATIONAL FIRE INSURANCE COMPANY OF HARTFORD, an Illinois corporation; WEST AMERICAN INSURANCE COMPANY, an Indiana corporation; STARR SURPLUS LINES INSURANCE COMPANY, a Texas corporation; ENDURANCE AMERICAN INSURANCE COMPANY, a Delaware corporation; OLD REPUBLIC INSURANCE COMPANY, a Pennsylvania corporation; KNIGHT SPECIALTY INSURANCE COMPANY, a Delaware corporation,

Defendants.

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**STIPULATION TO DISMISS PLAINTIFFS' CLAIMS AGAINST DEFENDANT UNITED SPECIALTY INSURANCE COMPANY RELATED TO POLICY NO. FEIS51000689, ONLY (ECF No. 242)**

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IT IS HEREBY STIPULATED by and between Plaintiffs Pulte Homes of New Mexico, Inc. and Pulte Development New Mexico, Inc. ("Plaintiffs") and Defendant United Specialty Insurance Company, relating to Policy No. FEIS51000689, by and through their respective attorneys of record, that Plaintiffs' claims against Defendant United Specialty

Insurance Company, relating to Policy No. FEIS51000689, as asserted in Plaintiffs' First Amended Complaint (ECF No. 242) shall be dismissed with prejudice pursuant to FRCP 41(a)(1). Defendant United Specialty Insurance Company will remain a Defendant in the above-captioned case relating to all other policies, as described in Plaintiffs' First Amended Complaint. Each party shall bear their own attorneys' fees and costs.

Dated: April 19, 2023

PAYNE & FEARS LLP

Dated: April \_\_\_\_, 2023

RODEY, DICKASON, SLOAN, AKIN &  
ROBB, P.A.

By: /s/ Sarah J. Odia  
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By: /s/  
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Attorneys for Defendant United Specialty  
Insurance Company, FEIS51000689

**CERTIFICATE OF SERVICE**

I hereby certify that on this \_\_\_\_ day of April, 2023, a true and correct copy  
of **STIPULATION TO DISMISS PLAINTIFFS' CLAIMS AGAINST DEFENDANT**  
**UNITED SPECIALTY INSURANCE COMPANY RELATED TO POLICY NO.**  
**FEIS51000689, ONLY (ECF No. 1)** was served via the United States District Court CM/ECF  
system on all parties or persons requiring notice.

By /s/ Jennifer Stephens  
Jennifer R. Stephens, an Employee of  
PAYNE & FEARS LLP